



**CITY APPOINTEES**  
 MARY SHARP, VICE CHAIR  
 BERLIN BOYD  
 SCOTT FLEMING  
 MARGARET PRITCHARD  
 JAMES TOLES

# MEMPHIS AND SHELBY COUNTY LAND USE CONTROL BOARD

EST. 1922 AS MEMPHIS PLANNING COMMISSION - REORGANIZED IN 1976

**JOSH WHITEHEAD, AICP, SECRETARY**  
 CITY HALL - 125 N. MAIN ST., STE. 468 - MEMPHIS, TENNESSEE 38103 - (901) 576-6601



**COUNTY APPOINTEES**  
 JON MCCREERY, CHAIR  
 ROBERT NORCROSS  
 EMILY TRENHOLM  
 DESIRE LYLES WALLACE  
 LISA WILBANKS

## MINUTES November 13, 2014

### Meeting Attendance

### LUCB Board Members

OFFICERS/MEMBERS	NAME	PRESENT	ABSENT
Chairman	Jon McCreery	X	
Vice Chairperson	Mary Sharp	X	
Member	Cassandra Bell-Warren		X
Member	Berlin Boyd	X	
Member	Rusty Linkous		X
Member	Margaret Pritchard	X	
Member	Robert Norcross	X	
Member	James Toles	X	
Member	Emily Trenholm		X
Member	Lisa Wilbanks	X	
Alt. Member	Frank Colvett, Jr.	X	

### Call to Order and Roll Call

Chairman McCreery called the meeting to order at 10:00 a.m. Josh Whitehead called the roll. There was a quorum.

**LUCB Staff:** Calvin Abram, Brian Bacchus, Troy Frazier, Don Jones, Terry Langlois, Gregory Love, and Chip Saliba

**Others Present:** Pamela Addison, Sophia E Atkins, Gail Austin, David Baker, Milton Grant, Nathan Bicks, Cassandra Carthon, Beverly Cobb, Paula Daniel, Tim McCaskill, Sabastian Morris, Christine Osborn, Robert Reaves, Rosie Smith and Harold Yarbrough.

### Chairman's Opening Remarks

Chairman McCreery read the General Order of the Public Hearing proceedings and the Conflict of Interest Statement.

### Secretary's Report

There was none.

### Approval of Minutes: October 9, 2014

Board Member Pritchard made a motion to approve LUCB minutes from October 9, 2014. The motion was seconded by Board Member Norcross. The motion passed unanimously.

### **General Order of Public Hearing**

Chairman McCreery explained the procedure for hearing the applications; staff presentation for the application; applicant comments; comments from the public; time limits; rebuttal; and the LUCB's discussion and action. The Consent Agenda Items 1, 2, 5, 6, 7, 8, 9 and 12 was read. He noted that Agenda Items 2 and 7 were mutually agreed 30-day HOLDS. Chairman McCreery also explained the procedure for hearing the Consent Agenda Items. He then introduced Board Member Lisa Wilbanks to be the Subdivision Chair and to read the Consent Agenda Items.

### **Consent Agenda (Items 1, 2, 5, 6, 7, 8, 9 and 12)**

- |                          |  |
|--------------------------|--|
| <b>1. CASE NUMBER:</b>   | <b><u>S14-004 CC</u></b>   |
| <b>PROJECT NAME:</b>     | <b><u>East Ridge Subdivision</u></b>   |
| Request:                 | Preliminary Plan Approval for 13 residential lots and 3 Open Space Lots.       |
| Staff's Recommendation:  | Approval with Conditions   |
| <br>                     |  |
| <b>2. CASE NUMBER:</b>   | <b><u>S.A.C. 13-616</u></b>  |
| <b>PROJECT NAME:</b>     | <b><u>Edison Road Closure</u></b>  |
| Request:                 | Close & Vacate Street Right-Of-Way in accordance to the UDC Section 5.2.18.    |
| Staff's Recommendation:  | 30 day Hold  |
| <br>                     |  |
| <b>5. CASE NUMBER:</b>   | <b><u>S.A.C. 14-609</u></b>  |
| <b>PROJECT LOCATION:</b> | <b><u>Sevier Street (south of the intersection with Mimosa Street)</u></b>     |
| Request:                 | Close & Vacate Street Right-Of-Way.  |
| Staff's Recommendation:  | Approval with Conditions   |
| <br>                     |  |
| <b>6. CASE NUMBER:</b>   | <b><u>P.D. 88-304</u></b>  |
| <b>PROJECT NAME:</b>     | <b><u>Rhodes College Planned Development</u></b>                               |
| Request:                 | Erect a Baseball Batting Pavillion between the Baseball and Softball Diamonds. |
| Staff's Recommendation:  | Approval with Conditions   |
| <br>                     |  |
| <b>7. CASE NUMBER:</b>   | <b><u>P.D. 03-329</u></b>  |
| <b>PROJECT NAME:</b>     | <b><u>Waring Park Planned Development</u></b>                                  |
| Request:                 | Reduce side yard setback from 20 feet to 10 feet.                              |
| Staff's Recommendation:  | 30 day Hold  |
| <br>                     |  |
| <b>8. CASE NUMBER:</b>   | <b><u>P.D. 09-313 CC</u></b>   |
| <b>PROJECT NAME:</b>     | <b><u>Woodland Hills Planned Development, 10th</u></b>                         |

**Request:** **Amendment, Parcel 5**  
(1) Revise Concept Plan for Parcel 5 to accommodate construction of a Dollar General Store; and (2) Add a detached sign at the southeast corner of Macon Road and Macon View Road to advertise a proposed off-site movie theater.

**Staff's Recommendation:** Approval with Conditions

**9. CASE NUMBER:** **P.D. 13-314 CO**  
**PROJECT NAME:** **Spring Creek Ranch Planned Development**  
**Request:** Major Modifications to Outline Plan to allow a 50-foot parking setback in Area A-2 for the Event Center and reduction in setback for gates in Areas A-1 and A-2.

**Staff's Recommendation:** Approval with Conditions

**12. CASE NUMBER:** **P.D. 14-319**  
**PROJECT LOCATION:** **8790 Walnut Grove Road**  
**Request:** Amend existing Planned Development to allow for additional office uses.

**Staff's Recommendation:** Approval with Conditions

Chairman McCreery asked if there were any items needed to be removed/pulled for discussion. Agenda Items 1 and 9 were pulled. Chairman McCreery then asked the board members for a motion to approve the remainder of the Consent Agenda Items. Board Member Wilbanks made a motion to approve Consent Agenda Items 2, 5, 6, 7, 8 and 12 in agreement with staff's recommendations. The motion was seconded by Board Member Boyd. The motion passed unanimously with Board Member Wilbanks abstaining from Agenda Item 8. Chairman McCreery then asked Board Member Wilbanks to read the Consent Agenda Items that were pulled for discussion as well as the Regular Agenda Items. She then read the case.

**Item 1: CASE #:** **S14-004 CC** **East Ridge Subdivision**  
**Request:** Preliminary Plan Approval for 13 residential lots and 3 Open Space Lots.

**Location:** North side of Raleigh LaGrange Road; +/- 1800 feet west of Pisgah Road

**Applicant:** Michael Lightman

**Representatives for applicant:** Robert Reaves, LDS Consulting LLC, 1567 Siskin Dr., Cordova, TN 38016-1640.

**MOTION:** Approval with Friendly Amendment of 70ft. setback instead of 80ft.

**MADE BY:** Wilbanks

**SECOND:** Boyd

**AYES:** Boyd, McCreery, Norcross, Pritchard, Sharp, Toles and Wilbanks

**Item 1 – APPROVED AS AMENDED**

**Item 3: CASE #: S 14-005**

**Carter - Gray**

Request: Preliminary Plan Approval for 20-lots for single family detached dwellings.  
Location: Northwest corner of James Road and Epping Way  
Applicant: Destiny Development  
Representatives for applicant: Sabastian Morris, 4837 Quintell Ave., Memphis, TN 38128  
Pamela Addison, 1520 Teal Wing Ln, Cordova, TN 38016

Chairman McCreery recognized the following persons who spoke from the audience in opposition of the case.

Beverly Cobb, 2908 Paddington Cove, Memphis, TN 38128.  
Gail Austin, 2907 Paddington Cove, Memphis, TN 38128.  
Christine Osborn, 2877 Tumbridge Cove, Memphis, TN 38128  
Cassandra Carthon, 2862 Truffle Cove, Memphis, TN 38128  
Harold Yarbrough, 2858 Truffle Cove, Memphis, TN 38128  
Rosie Smith, 2816 W. Hickory Bluff, Memphis, TN 38128

MOTION: Approval with Conditions  
MADE BY: Wilbanks  
SECOND: Boyd  
AYES: Boyd, Norcross, Sharp, Toles and Wilbanks  
NAYS: Colvett, McCreery and Pritchard

**Item 3 – APPROVED**

**Item 4: CASE #: S.A.C. 02-612**

**Haynes Street Closure**

Request: Street Closure time extension.  
Location: Beginning 230 feet north of Spottswood Avenue and extending north ward to CSX ROW  
Applicant: Commons at Brentwood, LLC  
Representatives for applicant: \*Michael Fahy, Prime Development Group, Inc., 7520 Capital Dr., Ste. 200, Germantown, TN 38138  
*\*Applicant was delayed in traffic but LUCB heard and voted on case.*

MOTION: Approval with the Friendly Amendment to strike Condition #5  
MADE BY: Wilbanks  
SECOND: Boyd  
AYES: Boyd, Colvett, McCreery, Norcross, Pritchard, Sharp, Toles and Wilbanks

**Item 4 – APPROVED AS AMENDED**

**Item 9: CASE #: P.D. 13-314 CO Spring Creek Ranch Planned Development**

Request: Major Modifications to Outline Plan to allow a 50-foot parking setback in Area A-2 for the Event Center and reduction in setback for gates in Areas A-1 and A-2.

Location: Northeast corner of Collierville Arlington Rd. and Raleigh-Lagrange

Applicant: Trail Partners, LLC

Representatives for applicant: David Baker with Fisher & Arnold Inc., 9180 Crestwyn Hills Dr., Ste 100, Memphis, TN 38125

MOTION: Approval with Conditions.

MADE BY: Wilbanks

SECOND: Pritchard

AYES: Boyd, Colvett, McCreery, Norcross, Pritchard, Sharp, Toles and Wilbanks

**Item 9 – APPROVED**

**Item 10: CASE #: P.D. 14-317 Oak Tree Planned Development, Amended**

Request: Plan amendment to allow Commercial Mixed Use (CMU-1) District land uses within an existing building.

Location: West side of Mount Moriah Road; +/-240' north of Park Avenue

Applicant: Majid & Margaret Paydar

Representatives for applicant: Tim McCaskill, 7891 Stage Hills Blvd., Ste. 112, Memphis, TN 38133.

MOTION: Approval with Friendly Amendments to Conditions (II.C.) and (IV. A.)

MADE BY: Wilbanks

SECOND: Norcross

AYES: Boyd, Colvett, McCreery, Norcross, Pritchard, Sharp, Toles and Wilbanks

**Item 10 – APPROVED AS AMENDED**

**Item 11: CASE #: P.D. 14-318 Kirby Gate West Planned Development, 1st Amendment**

Request: (1) Revise Outline Plan to regulate the property by the Commercial Mixed Use-2 District and (2) Permit self-service storage in Parcel Two only (3) Delete condition III.D. requiring dedication of internal public streets.

Location: Northeast corner of Kirby Gate Blvd. and Quince Road  
Applicant: Grant Properties, LLC-Milton Grant  
1655 International Dr. Ste 101 Memphis, TN 38120  
Representatives for applicant: David Baker with Fisher & Arnold Inc., 9180  
Crestwyn Hills Dr., Ste 100, Memphis, TN 38125.

Chairman McCreery recognized the following persons who spoke from the audience in opposition of the case.

Sophia E Atkins, 1670 Kirby Trace Cove, Memphis, TN 38119.  
\*Paula Daniel with Butler Snow, 6075 Poplar Ave., Memphis, TN 38119.  
\*Representing the Regional One Health (The Med)

MOTION: Approval with Friendly Amendments to the following Conditions:  
Page 14: Conditions II. B.; III. B. 5.; and III. B. 7.  
Page 15: Conditions III. C. 1.; and III. C. 2. b.  
Page 16: Condition IV. F.  
Page 17: Condition VI. E.  
MADE BY: Wilbanks  
SECOND: Pritchard  
AYES: Boyd, Colvett, McCreery, Norcross, Pritchard, Sharp, Toles and  
Wilbanks

**Item 11 – APPROVED AS AMENDED**

**Item 13: CASE #: S.U.P. 13-224 CO**

Request: To request time extension for gravel pit.  
Location: 8600 & 8610 Deadfall Road  
Applicant: Standard Construction Company, LLC  
Representatives for applicant: Nathan Bicks of Burch, Porter & Johnson, 130 N.  
Court, Memphis, TN 38103

MOTION: Approval with Friendly Amendment to the Conditions  
MADE BY: Wilbanks  
SECOND: Pritchard  
AYES: Boyd, Colvett, McCreery, Norcross, Pritchard, Sharp, Toles and  
Wilbanks

**Item 13 – APPROVED AS AMENDED**

**Item 14: CASE #: S.U.P. 14-230 CO**

Request: To establish a cell tower within 1500' of a  
residential lot.  
Location: West side of Hines Road; approximately 1440 feet  
south of Cuba Millington Road  
Applicant: Verizon Wireless

Representatives for applicant: Nathan Bicks of Burch, Porter & Johnson, 130 N.  
Court, Memphis, TN 38103

MOTION: Approval with Friendly Amendment to the Condition #6  
MADE BY: Wilbanks  
SECOND: Pritchard  
AYES: Boyd, Colvett, McCreery, Norcross, Pritchard, Sharp, Toles and  
Wilbanks

Item 14 – **APPROVED AS AMENDED**

**ADJOURNMENT:**

There being no further business, the meeting there upon was adjourned.

MINUTES APPROVED: \_\_\_\_\_

CHAIRMAN \_\_\_\_\_

SECRETARY \_\_\_\_\_

